IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 15151 of 1997

Between:

1 Ryali Suri Babu, S/o. Sankhara Narayana,
R/o. Uballanka.
2 Nadimpalli Ramaraju, S/o. Peddaraju.
R/o. Uballanka.
3 Nadimpalli Suryanarayana Raju, S/o. Suraparaju,
R/o. Uballanka.
4 Dwarampudi Sreerama Chandra Reddy, S/o. Bhoolakareddy.
R/o. Uballanka.
5 Pulagam Sreenivasa Reddy, S/o. Surreddi.
R/o. Uballanka.
6 Pulagam Sreerama Reddy, S/o. Surreddi.
R/o. Uballanka.
7 Jampana Lakshmipathi Raju, S/o. Subba rao.
R/o. Uballanka.
8 Jampana Seetharama Raju, S/o. Subba Raju.
R/o. Uballanka.
9 Karri Subreddi, S/o. Rami Reddy.
R/o. Uballanka.
10 Madapati Bapireddy, S/o. Veereddi.
R/o. Uballanka.
11 Chinta Satyanarayana Reddy, S/o. Sreerama Reddy.
R/o. Uballanka.
12 Kovvuri Subbi Reddy, S/o. Surreddy.
R/o. Uballanka.
13 Jampana Suraparajau, S/o.Tataraju.
R/o. Uballanka.
14 Balraju Gopal Raju, S/o. Nagaraju.
R/o. Uballanka.
15 Kovvuri Subbireddy, S/o. Veereddi.
R/o. Uballanka.
16 Goluguri Satyanarayana Reddy, S/o. Veereddi,
R/o. Uballanka.
17 Madapati Satyanarayana Reddy, S/o. Rama Reddy.
R/o. Uballanka.

18 Nallamilli Subba Reddy, S/o. Dara Reddy.
R/o. Uballanka.
19 Adapa Gurreswara Rao, S/o. Apparao.
R/o. Uballanka.

... PETITIONERS

AND

1 The State of A.P., Rep. Secretary,
Food and Agri. Dept., Secretariat, Hyderabad.
2 The Agri. Market Committee, Rep. Secretary,
Kothapeta, East Godavari.
3 The Agri. Market Committee, Rep. Secretary, Ambajipeta.
4 The Agri. Market Committee, Rep. Secretary,
Razole, Head Quarters at Tatipaka, East Godavari.
5 The Agri. Market Committee, Rep. Secretary,
Pithapuram, East Godavari.
6 The Agri. Market Committee, Rep. Secretary,
Kakinada, East Godavari.
7 The Agri. Market Committee, Rep. Secretary,
Peddapuram, East Godavari.
8 The Agri. Market Committee, Rep. Secretary,
Ramachandrapuram, East Godavari.
9 The Agri. Market Committee, Rep. Secretary,
Mummidivaram, East Godavari.
10 The Agri. Market Committee, Rep. Secretary,
Narasipatnam, Visakhapatnam.

11 The Agri. Market Committee, Rep. Secretary,
Tadepalligudem, West Godavari.
12 The Agri. Market Committee, Rep. Secretary,
Eluru, West Godavari.
13 The Agri. Market Committee, Rep. Secretary,
Palakol, West Godavari.
14 The Agri. Market Committee, Rep. Secretary,
Bhimavaram, West Godavari.
15 The Agri. Market Committee, Rep. Secretary,
Kovvur, West Godavari.
16 The Agri. Market Committee, Rep. Secretary,
Tanuku, West Godavari.
17 The Agri. Market Committee, Rep. Secretary,
Chintalapudi, West Godavari.
18 The Agri. Market Committee, Rep. Secretary,
Polavaram, West Godavari.
19 The Agri. Market Committee, Rep. Secretary,
Khammam.
20 The Agri. Market Committee, Rep. Secretary,
Kothagudem, Khammam.
21 The Agri. Market Committee, Rep. Secretary,
Yellandu, Khammam.
22 The Agri. Market Committee, Rep. Secretary,

Bhadrachalam, Khammam.
23 The Agri. Market Committee, Rep. Secretary, Nagur, Head Quarters Cherla, Khammam.
24 The Agri. Market Committee, Rep. Secretary, Sattupalli, Khammam.
25 The Agri. Market Committee, Rep. Secretary, Burgumpadu, Khammam.
26 The Agri. Market Committee, Rep. Secretary, Nalakondapalli, Khammam.
27 The Agri. Market Committee, Rep. Secretary, Nagaram, East Godavari.
28 The Agri. Market Committee, Rep. Secretary, Alamuru, East Godavari.
29 The Agri. Market Committee, Rep. Secretary, Rajahmundry, East Godavari.
30 The Agri. Market Committee, Rep. Secretary, Tuni, East Godavari.
31 The Agri. Market Committee, Rep. Secretary, Anaparthi, East Godavari.
32 The Agri. Market Committee, Rep. Secretary, Narsapur, West Godavari.
33 The Agri. Market Committee, Rep. Secretary, Achanta, West Godavari.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue such appropriate writ, direction or orders that are deemed fit and proper in the circumstances of the case and more particularly to issue a writ in the nature of Mandamus, restraining the respondents from levying and/or collecting market fee and licence fee from the petitioners on varieties of Natu Tobacco and its products.

Counsel for the Petitioners: MR.KROVVIDI NARSIMHAM

Counsel for the Respondents: GP FOR AGRICULTURE

The Court made the following:

ORDER:

This writ petition is filed seeking Mandamus restraining the respondents

from laying or collecting market fee and license fee from the petitioners on all varieties of 'Natu' Tobacco and its products.

2. Heard the learned counsel for the petitioners and the learned Government Pleader for Agriculture appearing on behalf of the respondents.

3. It is represented by the learned counsel for the petitioners and admitted to by the learned Government Pleader that the subject matter in this writ petition is squarely covered by a judgment of the Supreme Court in **ITC Ltd. V. Agricultural Produce Market Committee**.

Recording the above submission and following the ratio in the aforementioned judgment, the writ petition is disposed of for the similar reasons.

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N.V. RAMANA, J

March 17, 2005

MRR

Copy to:

1 The Secretary, State of A.P., Food and Agricultural Department, Secretariat, Hyderabad.
2 The Secretary, Agricultural Market Committee, Kothapeta, East Godavari.
3 The Secretary, Agricultural Market Committee, Ambajipeta.
4 The Secretary, Agricultural Market Committee, Razole, Head Quarters at Tatipaka, East Godavari.
5 The Secretary, Agricultural Market Committee, Pithapuram, East Godavari.
6 The Secretary, Agricultural Market Committee, Kakinada, East Godavari.
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31 The Secretary, Agricultural Market Committee, Anaparthi, East Godavari.
32 The Secretary, Agricultural Market Committee, Narsapur, West Godavari.
33 The Secretary, Agricultural Market Committee, Achanta, West Godavari.

34. 2 CCs to G.P. for Agriculture, High court Buildings, Hyderabad (OUT)

35. 2 CD copies.

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